NATIONAL LIBRARY OF MEDICINE
NEWS

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Copyright Decision

The U. S. Court of Claims on November 27, 1973, ruled that making single photocopies of journal articles by NLM and the NIH staff library does not violate copyright laws. The judgment was in response to a petition filed on February 27, 1968, by Williams & Wilkins against the Federal Government. The petition alleged that NLM and the NIH library, by providing on interlibrary loan single copies of journal articles to libraries for the use of health professionals, had infringed the journal publisher's copyright.

The court said that medical research would suffer if such photocopying were banned since "the supply of reprints and back numbers is wholly inadequate," and it is "wholly unrealistic to expect scientific personnel to subscribe regularly to large numbers of journals which would only occasionally contain articles of interest to them." The court also rejected the plaintiff's argument that he had suffered financial loss because of library photocopying.

In summing up their findings, the Court stated: "First, plaintiff has not in our view shown...that it is being or will be harmed substantially by these specific practices of NIH and NLM; second, we are convinced that medicine and medical research will be injured by holding these particular practices to be an infringement; and, third, since the problem...calls fundamentally for legislative solution or guidance, which has not yet been given, we should not, during the period before congressional action is forthcoming, place such a risk of harm upon science and medicine." The court added that it is up to Congress to draw the line between "fair use" and "unfair" use, terms frequently associated with copyright lawsuits.

Judge Oscar H. Davis, writing for the majority, raised additional points he said Congress should consider in its deliberations on copyright legislation: the extent to which photocopying should be allowed; whether copiers should be licensed; how much they should pay publishers; and the special status, if any, of scientific and educational needs. In a dissenting opinion, Judge Philip Nichols Jr. predicted that the decision will "encourage unrestricted piracy" of all authors' works. "However hedged," Nichols noted, "the decision will be read that a copyright holder has no rights that a library is bound to respect."

Its 4 to 3 decision in favor of the Federal Government overturned Commissioner James F. Davis's preliminary report filed in February 1972 (*News*, March 1972), which had recommended in favor of the plaintiff.

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U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Public Health Service
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NATIONAL LIBRARY OF MEDICINE
NEWS

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For more background on the suit, see the *News* for October 1972. A copy of the recent Court of Claims decision may be obtained for $0.50 (check made payable to Clerk, U.S. Court of Claims) by writing the U.S. Court of Claims, Office of the Clerk, 717 Madison Place, N. W., Washington, D. C. 20005. Ask for the "Williams & Wilkins Copyright Decision."

Regent Reports on P.L. 480 Program

At the November 29-30, 1973 meeting of the NLM Board of Regents, Dr. William N. Hubbard, Jr., Executive Vice President of the Upjohn Company, reported on the visit he had made in September 1973 to Israel and Poland to review the NLM P. L. 480 (special foreign currency) programs in those countries. Dr. Hubbard was accompanied by Dr. Jack Layton, former Board Chairman, and by Dr. Jeanne Brand, Chief of NLM's International Programs Division. Dr. Hubbard noted the benefits to U. S. science of the Library's support for critical reviews and monographs by first-ranking scientists in countries with markedly different scientific settings, perspectives, and opportunities. In Poland and Israel the United States has access to data from two highly organized but very different systems of national health care and health related research. Comparative data of problems experienced in common, as well as data unique to the countries of origin, are thus made available to U. S. scientists by this program.

HMD Bibliography

The seventh in the Library's series of annual bibliographies on the history of medicine is now available from the Superintendent of Documents, U.S. Government Printing Office Washington, D. C. 20402. *Price:* $3.00 ($3.75 foreign). *GPO Catalog Number:* HE 20.3615:7. Compiled by NLM's History of Medicine Division, the bibliography includes approximately 3,000 citations representing all periods and geographical areas.

A flyer with GPO order blank is being sent to all *NLM News* recipients.

RML Coordinator Named for Region IV

A regional coordinator for the Mid-Atlantic Region will join NLM this coming February. Miss Jackie Rustigian, presently on the RML staff of the Mid-Eastern Region (RML III), at the College of Physicians and Surgeons in Philadelphia, will bring with her a wide range of experience as a regional program coordinator. Her past professional activities include experience in medical reference work, in hospital library administration and management, and in planning, coordinating, and conducting regional workshops.

NLM Director Honored

The most prestigious recognition a Federal civil servant can receive, the Rockefeller Public Service Award, has been conferred on NLM Director Martin M. Cummings, M.D. He received his award in the category "Human Resource Development and Protection." Dr. Cummings, cited for his leadership in applying modern telecommunications and computer technology to the problems of medical information transfer, was described as having "turned the National Library of Medicine into the foremost biomedical information center in the world."

Princeton President William G. Bowen (left) presents award to NLM Director Cummings. Sponsor of the award is John D. Rockefeller, III (right).

The Rockefeller Public Service Awards were initiated and financed by John D. Rockefeller, III, and are the only privately sponsored prizes specifically earmarked for Federal careerists who have made major contributions to their country. Administered as a trust by Princeton University's Woodrow Wilson School of Public and International Affairs, the tax-free $10,000 cash awards were presented to Dr. Cummings and to four other government officials by Princeton President William G. Bowen at ceremonies in Washington on December 5. Dr. Ruth M. Davis, former Director of the NLM Lister Hill Center for Biomedical Communications, was among those receiving awards.

New Computer Installed

Over Thanksgiving Day weekend, NLM's Office of Computer and Communications Systems installed an IBM 370/158 computer system to replace its IBM 370/155. The new system is not only approximately 30% faster than the previous system and provides 33% additional direct access disk storage, but is less expensive. This upgrading--part of the continuing effort of the Library to provide the best capabilities available--will permit additional files to be made accessible to the MEDLINE user and permit more users to access other files at the same time. With modern circuitry, the new system is able to provide this increased capacity and at the same time reduce the computer's power and air conditioning requirements by over 12%.

New Policy on Collection Development Grants

After reviewing the program of grant assistance for collection development projects, the NLM Board of Regents has recommended that the awarding of new grants in this area be suspended until the RML Regions develop regionwide sharing plans. Beginning February 1, 1974, applications for collection development will not be processed for review unless there is an adequate resource sharing plan for the applicant's Region. In all other respects the current guidelines for collection development remain in force.

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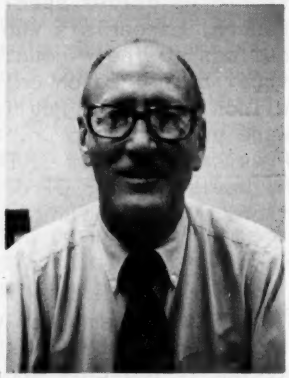
(Development Grants, from Page 3)

The Regents recognize the great need that exists for biomedical literature resources in new medical schools, in new education programs, and where new health care facilities and services are being organized. At the same time, the NLM is dedicated to using its resources to develop in a rapid and orderly fashion a Regional Medical Library network that will make all significant biomedical information resources accessible to as many health professionals as possible. Resource sharing, an important means to this end, is meant in the broadest sense to include shared acquisitions, cooperative services and processing, and the planned optimal use of existing human and material resources.

Library officials are urged to work with the RML in formulating regionwide plans. Such plans should include clear statements of the objectives of resource building at all levels in the region. The areas of responsibilities for resources sharing, priorities for shared acquisitions based on existing subject strengths, and other cooperative efforts should be identified for each level in the network heirarchy. Phased development in a management-by-objectives mode may be one useful approach among several.

Technical Services Head Appointed

Joseph F. Gantner, formerly Director of Libraries at the State University of New York at Stony Brook, has been appointed Chief of the Library's Technical Services Division. He took up his new duties at NLM on December 10, and succeeds Seymour Taine, now Librarian for the World Health Organization.



Prior to directing the SUNY Libraries, he worked for the University of California, first in reference and cataloging at the Biomedical Library, UCLA (1960-1963), then as head of the Scripps Institution of Oceanography Library, San Diego (1963-1966), and finally as Assistant University Librarian, University of California at San Diego (1966-1971).

Mr. Gantner is a zoologist as well as a librarian and has published articles in both fields. He holds Bachelor and Master of Science degrees in zoology and a Master of Library Science degree from the University of California, Berkeley.

New Literature Searches

For single copies of the following bibliographies, send a self-addressed gummed label with number and title of the requested searches, to Literature Search Program, Reference Section, National Library of Medicine, 8600 Rockville Pike, Bethesda, Maryland 20014.

L.S. No. 73-34 Herpes viruses and the etiology of mammalian tumors. January 1970 through August 1973. 182 citations.

L.S. No. 73-35 Mental retardation: facilities, rehabilitation, services (with emphasis on the U.S.). January 1970 through August 1973. 253 citations in English.

L.S. No. 73-36 Therapy of enuresis with imipramine. January 1970 through September 1973. 57 citations.

CAI Surveys Available

Creators of computer-assisted instruction programs may be interested in two surveys prepared by Christopher R. Brigham for the Lister Hill National Center for Biomedical Communications, and recently released through the National Technical Information Service.*

Programming Languages Used for Health Sciences Computer Assisted Instruction. Price: $3.50 (hard copy); $1.45 (microfiche). Accession No.: PB 224-421/AS.

Twenty-three different programming languages have been used to prepare health sciences computer-assisted instruction material. The report discusses the functional and technical characteristics of educational software, and examines individually fifteen languages. Factors influencing the suitability and compatibility of computer languages are described, and recommendations are made about software development, use, and standardization.

Minicomputers in Health Sciences Instruction. Price: $3.00 (hard copy); $1.45 (microfiche). Accession No.: PB 224-397/AS.

The instructional role of the minicomputer is presently being explored by several health science institutions. The paper examines the history of the minicomputer, the present status and expected future of the hardware and software, its use as an instructional medium in the health sciences, related applications, and its potential for health sciences instruction. Minicomputers and larger machines are compared, and examples of the instructional use of minicomputer-based programmable calculators, single-user systems, intelligent terminals, time-sharing systems, and simulators are presented.

* Address: 5285 Port Royal Road, Springfield, Virginia 22151. Order by title and accession number and include remittance with order. Non-U.S. purchasers must include an additional $2.50 ($1.50 for microfiche orders) to cover handling and mailing for each publication.

Visiting Scientist

Professor Witold J. Rudowski of Poland was a Visiting Scientist to the National Library of Medicine from October to December. He is Director of the Research Institute of Hematology in Warsaw and is Chairman of the Scientific Council to the Minister of Health and Social Welfare of Poland. Dr. Rudowski used the NLM collection for research on a PL 480 project, the disorders of haemostasis in surgery, sponsored by the Library's Extramural Programs. Dr. Rudowski is a Fellow of the American College of Surgeons, the Royal College of Surgeons of Edinburgh, and will become a Fellow of the Canadian College of Surgeons in January.

Monthly Current Catalog Discontinued

The December 1973 issue of the *NLM Current Catalog* will be the last monthly issue published.* The quarterly and annual issues will be continued. The decision to drop the monthly *Current Catalog* was made by the Library following an intensive DHEW review of all Departmental publications. It is believed that widespread access to NLM's cataloging information is now available through CATLINE, the quarterly and annual *NLM Current Catalog*, and the semiweekly format distributed by the Medical Library Association.

The "Added Volumes" section, formerly included only with monthly issues, will now appear at the end of the quarterlies. As in the past the quarterly issues will contain full citations to all titles cataloged by the Library and its cooperative cataloging partners during each three-month period. In addition to the "Added Volumes," the quarterlies contain six sections: name and subject sections for monographs, serials, and technical reports. (Quarterlies are more complete than the monthlies which had no subject section and no citations to items more than three years old.)

Semiweekly proof sheets will continue to be published by the Medical Library Association. They contain citations to recent English titles cataloged during the semiweekly period. The annual subscription charged by the MLA for the semiweekly proofsheets is $35.00.

In addition to the published *NLM Current Catalog*, there is an on-line data base of cataloging information, CATLINE (*News*, November 1973) which can be searched by any library that has access to MEDLINE. CATLINE has all material available in the printed catalogs with more access points than either a book catalog or a card catalog. A manual for using MEDLINE and CATLINE is available (*News*, September 1973).

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* The Superintendent of Documents will make refunds to customers whose subscriptions run past the December 1973 monthly issue. Orders for quarterly issues for 1974 should be sent to the Superintendent of Documents, U.S. Government Printing Office, Washington, D. C. 20402; the first quarterly issue (January-March 1974) is scheduled to appear in May. Specify "National Library of Medicine Current Catalog - Quarterly Listing" on your order and include full remittance: $23.50 ($29.50 foreign).

New Ex-Officio Regents

By his appointment to Surgeon General of the Army, Lt. Gen. Richard R. Taylor becomes an ex-officio member of the NLM Board of Regents. He replaces Lt. Gen. Hal B. Jennings, Jr., who has retired from the service. General Taylor received both his undergraduate and medical degrees from the University of Chicago and has attended the military's Command and General Staff College and the Army War College. He is a fellow of the American College of Physicians and the American College of Chest Physicians and a member of other professional organizations.

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Eloise E. Clark, Ph.D., newly appointed Division Director of the Biological and Medical Sciences Division, National Science Foundation, also assumes the position of ex-officio Regent. She replaces John W. Mehl, Ph.D., who served as Acting Division Director. Dr. Clark received a B.A. from Mary Washington College of the University of Virginia, and a Ph.D. in zoology from the University of North Carolina. She came to the National Science Foundation in 1969 after leaving the Columbia University Department of Biological Sciences as an Associate Professor. She is a fellow of the AAAS and a member of numerous physiology and biology societies.

Progress in NLM-AAMC Program

As reported in the December 1972 *NLM News*, the National Library of Medicine and the Association of American Medical Colleges (AAMC) have established a collaborative program to develop a national network for health professional education. The AAMC and its dental school counterpart, the American Association of Dental Schools (AADS), are working under NLM sponsorship to develop a national resource to identify, create, and disseminate educational programs for all health professional faculty and students. To implement this collaborative arrangement, the AAMC has established a Division of Educational Resources headed by William G. Cooper, Ph.D. The new Division utilizes staff from both the AAMC and the AADC.

Specific programs being pursued by the Division of Educational Resources include: (1) identification, accession, review, indexing, and cataloging of available nonprint educational materials in the health sciences; (2) establishment of a test item library for student evaluation; and (3) a feasibility study of retrieval of learning materials by educational objective.

As the first step in establishing a clearinghouse of information to describe instructional materials considered to be effective in health science education, in July 1973, the Division of Educational Resources, in conjunction with the AADS, initiated a Health Educational Materials inventory. The survey was designed to obtain from the academic community a listing of nonprint materials that have proven to be effective in their teaching programs, are available for use by other schools, and are available for peer review. The materials identified in this survey are now undergoing peer review at the National Medical Audiovisual Center. Approximately 800 items were reviewed by the end of 1973, mainly in the fields of anatomy, oral pathology, ophthalmology, and operative dentistry. Some 2,400 will have been reviewed by next June 30.

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